



City of Seattle
Gregory J. Nickels, Mayor

Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3010396
Applicant Name: Ronald Meckler
Address of Proposal: 12317 15th Avenue NE

SUMMARY OF PROPOSED ACTION

Land Use Application to allow the expansion of a minor communication utility to replace two antennas and to add two new antennas (Verizon). Equipment cabinet will be located in basement. Existing minor communication utilities to remain.

The following approval is required:

SEPA – Environmental Determination - (Chapter 25.05 SMC).

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS
 ☐ DNS with conditions
 ☐ DNS involving non-exempt grading, or demolition,
 or another agency with jurisdiction.

BACKGROUND DATA

Site and Vicinity Description

The mid-block site is located across 15th Avenue NE from the Pinehurst Safeway store. It is developed with the San Marino apartment complex, which according to the King County Assessor has 31 units, built in 2002. The property is zoned NC3-65, and is subject to the Northgate Overlay. Property to the west is zoned L1, and also subject to the overlay. Otherwise, surrounding properties are zoned the same as the subject site.

There are existing minor communications facilities on the roof of the 21-unit apartment structure. They top out around 33 feet above grade. Properties to the S, E, SE, and NE are all residentially developed. There is an office building across the street to the north. .

Proposal Description

The applicant proposes to remove the existing equipment and install the telecommunications equipment within a 10' x 10' x 8'-tall screening box perched on a stem or stalk of sorts, of smaller horizontal dimensions, though the photosims suggest that the stalk would not be visible from the ground. The top of the screening would be at 41-feet 6-inches, 2.5 feet higher than the top of the equipment within. An expanded equipment cabinet would be located adjacent to the east side of the building at grade.

Public Comments

None.

SEPA ANALYSIS

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant. The information in the checklist and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.554D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part: "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation," subject to some limitations. Under such limitations/circumstances (SMC 25.05.665 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary construction-related impacts are expected: 1) decreased air quality due to the increase dust and other suspended particulates from building activities; 2) increased noise and vibration from construction operations and equipment; 3) increased traffic and parking demand from construction personnel; 4) blockage of streets by construction vehicles/activities; 5) conflict with normal pedestrian movement adjacent to the site; and 6) consumption of renewable and non-renewable resources. Although not significant, the impacts are adverse and certain mitigation measures are appropriate as specified below.

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically, these are: 1) Street Use Ordinance (watering streets to suppress dust, obstruction of the pedestrian right-of-way during construction, construction along the street right-of-way, and sidewalk repair); and 2) Building Code (construction measures in general).

Compliance with these applicable codes and ordinances will be adequate to achieve sufficient mitigation and further mitigation by imposing specific conditions is not necessary for these impacts. The other short-term impacts not noted here as mitigated by codes, ordinances or conditions (e.g., increased traffic during construction, additional parking demand generated by construction personnel and equipment, increased use of energy and natural resources) are not sufficiently adverse to warrant further mitigation or discussion.

Greenhouse Gas

De minimus. 157 metric tons of carbon dioxide emitted (MTCO₂e) over lifespan.

Long-term Impacts

Long-term or use-related impacts are also anticipated, as a result of approval of this proposal including: increased traffic in the area and increased demand for parking due to maintenance of the facility; and increased demand for public services and utilities. These impacts are minor in scope and do not warrant additional conditioning pursuant to SEPA policies.

Environmental Health

The Federal Communications Commission (FCC) has pre-empted state and local governments from regulating personal wireless service facilities on the basis of environmental effects of radio frequency emissions. As such, no mitigation measures are warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

The applicant has submitted a “Evaluation of Compliance with Guidelines for Human Exposure to Radio Frequency Radiation” report and engineering certification for this proposed facility giving the calculations of radiofrequency power density at roof and ground levels expected from this proposal and attesting to the qualifications of the professional engineer who made this assessment. This complies with the Seattle Municipal code Section 25.10.300 that contains Electromagnetic Radiation standards with which the proposal must conform. The City of Seattle, in conjunction with Seattle King County Department of Public Health, has determined that Personal Communication Systems (PCS) operate at frequencies far below the Maximum Permissible Exposure standards established by the Federal Communications Commission (FCC) and therefore, does not warrant any conditioning to mitigate for adverse impacts.

Height, Bulk and Scale

The proposed monopole would be of substantially greater bulk than the existing chimney-style screened installations, but nonetheless of minor bulk. It is the type of structure which, shortly after installation, is likely to be overlooked by all but the rarest passerby. Such a level of impact is too small to warrant mitigation.

Greenhouse gas

De minimus. 157 metric tons of carbon dioxide emitted (MTCO₂e) over lifespan.

Summary

In conclusion, several effects on the environment would result from the proposed development. The conditions imposed at the end of this report are intended to mitigate specific impacts identified in the foregoing analysis, to control impacts not adequately regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 (2)(C).

[] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 (2)(C).

CONDITIONS - SEPA

None.

Signature: (signature on file)
Paul Janos, Land Use Planner
Department of Planning and Development

Date: November 19, 2009

PMJ:ga

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